

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

YOO I. LEE,)
v.)
Plaintiff,)
ALLSTATE INSURANCE CO., et al.,)
Defendants.)
No. 1:08-cv-1683-WTL-DML

E N T R Y

This action was dismissed for lack of jurisdiction in the Judgment entered on the clerk's docket on April 7, 2009. The entry of judgment has been followed with the filing of a notice of appeal and with various post-judgment motions for relief. The most recent of these post-judgment motions is the plaintiff's "motion for reconsider" (dkt 46) filed on February 22, 2010.

Regardless of the label given to them, "substantive motions to alter or amend a judgment served more than ten days after the entry of judgment are to be evaluated under Rule 60(b)." *United States v. Deutsch*, 981 F.2d 299, 301 (7th Cir. 1992). "A Rule 60(b) motion permits relief from judgment [only] when it is based on one of six specific grounds listed in the rule." *Talano v. Northwestern Med. Faculty Found.*, 273 F.3d 757, 762 (7th Cir. 2001). A motion for relief from judgment pursuant to Rule 60(b) permits a party to seek relief from judgment on the grounds of mistake, inadvertence, excusable neglect, newly discovered evidence, and fraud. *American Federation of Grain Millers, Local 24 v. Cargill Inc.*, 15 F.3d 726, 728 (7th Cir. 1994). It also authorizes relief for "any other reason justifying relief from the operation of the judgment." Rule 60(b), **F.R.Civ.P.**

The motion for reconsider filed on February 22, 2010, is not coherent, does not invoke or suggest a basis for relief under Rule 60(b), and is therefore **denied**.

IT IS SO ORDERED.

Date: 03/03/2010



Distribution:

Yoo I. Lee
701 Loyola Ave.
New Orleans, LA 70140

Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana